

Appl. No. 10/053,183
Reply to Office Action of October 6, 2003

REMARKS

Claims 1-17 are currently pending in the application. Applicant has amended claims 1, 3, 4, and 6-14. Applicant requests reconsideration of the application in light of the following remarks.

Rejections under 35 U.S.C. § 102

Claims 1-7, 10-12 and 14 were rejected under 35 U.S.C. § 102(b) as being anticipated by Lawrence et al, US Patent No. 5,033,010. The Examiner stated that Lawrence discloses a computer chip positioned with a line replaceable unit and in communication with a smart data memory module, citing lines 16-20 of column 4.

In response, applicant has amended claim 1 to more clearly distinguish over the cited Lawrence reference. In particular, applicant has amended claim 1 to clarify the data stored by the computer chip and how the stored data is used to determine the operational state of the line replaceable unit. Specifically, applicant has amended claim 1 to recite that the computer chip stores as built data that includes identification data. Applicant has further amended claim 1 to recite that the smart data memory module receives the identification data from the computer trip, and that the identification data is compared to previously received data to determine if the line replacement unit has been replaced. Finally, claim 1 has been amended to recite that the as built data is used to determine the operational state of the line replaceable unit.

Thus, amended claim 1 thus recites a system where the computer chip stores data that is used to monitor the performance of a line replaceable unit. As described in applicant's specification, storing as built data for each line replaceable unit facilitates the comparison of as-built performance to current performance for individual line replaceable units. This facilitates more accurate prediction of future performance of the line replaceable units than systems that track an auxiliary power unit as a whole without regard for changes to individual line replaceable units.

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In contrast, the cited Lawrence reference does not describe a system where identification data from the computer chip is received and compared to data stored in smart data memory module and where performance data is received and used to determine the operational state of the line replaceable unit. Applicant notes that the Examiner admitted this in paragraph 9 of the office action, where the Examiner stated that "The prior art of record does not disclose . . . comparing the received part number and the serial number with the data stored in the smart memory module." Applicant thus submits that amended claim 1 is patentably distinct over the cited references.

Furthermore, as claims 2-7 and 11 depend from, and include all the limitations of amended claim 1, they are also submitted to be patentably distinct.

With regard to claim 12, applicant has amended claim 12 to recite that the as built data comprises a place of manufacture. Applicant submits that such a feature is not found in the cited references, and note that the Examiner admitted such when the Examiner stated in paragraph 9 of the office action that "The prior art of record does not disclose the set of as built data includes place of manufacture." Thus, applicant submits that claim 12 is patentably distinct over the cited references. Furthermore, as claims 13 and 14 depend from, and include all the limitations of amended claim 12, they are also submitted to be patentably distinct.

In the office action, the Examiner objected to claim 8 as being dependent upon a rejected base claim, but stated that it would be allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims. Accordingly, applicant has amended claim 8 to rewrite the claim in independent form, including all the limitations of original claim 1 and original claim 4. Applicant thus submits that claim 8 is patentably distinct over the cited references. Furthermore, as amended claims 9 and 10 depend from, and include all the limitations of amended independent claim 8, they are also submitted to be patentably distinct over the cited references.

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In the office action, the Examiner allowed claims 15-17. Applicant thanks the Examiner for the allowance of these claims.

Accordingly, Applicants respectfully submit that the application, as amended, is now in condition for allowance, and such allowance is therefore earnestly requested. Should the Examiner have any questions or wish to further discuss this application, Applicants request that the Examiner contact the Applicants attorneys at the number below.

The above Amendment adds one new Independent Claim. Please charge Deposit Account No. 50-2091 \$86.00 to cover the fee for this added claim. Additionally, If for some reason Applicants have not requested a sufficient extension and/or have not paid a sufficient fee for this response and/or for the extension necessary to prevent abandonment on this application, please consider this as a request for an extension for the required time period and/or authorization to charge Deposit Account No. 50-2091 for any fee which may be due.

Respectfully submitted,

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Dated: January 6, 2004

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